

**Office of Code Enforcement and
Community Development**

28 Curran Drive
Athens, OH 45701
(740)592-3306
(740)594-6304 Fax
<http://www.ci.athens.oh.us>



City of Athens
ATHENS, OHIO

**Board of Zoning Appeals
Minutes
February 8, 2022**

Members present: Lisa Carson (Chairperson), Robert Delach, Kelly Sauber, Kay Tousley, Aaron Thomas (Alternate),

City Officials present: David Riggs (Zoning Administrator).

The meeting was called to order on February 8, 2022 at 7:01 pm at City Council Chambers, 8 East Washington Street, Third Floor, Athens, OH. The Acting Chairperson played a video stating the policies and procedures of the Board.

Chairperson Lisa Carson, swore in all intending to speak tonight.

Hearing(s):

1.) Case #22-01V 110 Morris Avenue John & Tracy Hansen

Appellant is requesting a variance from ACC 23.10.01 Table A Schedule of Bulk Controls - Side Setback of 5 ft. where 8 ft. is the minimum - Structure coverage of 34% where 30% coverage is the maximum allowed

Chairperson Carson called on the Zoning Administrator to testify.

Mr. Riggs explained that the appellant is requesting the variance on an originally platted lot. Much smaller than today's standard lot sizes.

Tracy & John Hansen 110 Morris Avenue – explained they would like to go with 4ft instead of the 5ft requested in the original permit, per Mr. Hansen it is not a show stopper but they would like the board to grant the 4ft.

Aaron Thomas asked the Hansen's to explain the design. The Hansen's explained the addition would be for a laundry room 15' long 8' wide extending the house out.

There were no further questions. The Chairperson read into the record letters of support submitted with the appeal.

Kelly Sauber – noted no letter from 102 Morris. Mrs. Hansen explained it is a rental and she has not contact with the owner.

Kelly Sauber requested information pertaining to garage setbacks in general. Director Riggs explained the garage setbacks required are 5'. Sauber noted – then this variance would be similar to the required garage setback.

**Office of Code Enforcement and
Community Development**

28 Curran Drive
Athens, OH 45701
(740)592-3306
(740)594-6304 Fax
<http://www.ci.athens.oh.us>



City of Athens
ATHENS, OHIO

Discussions regarding the change to the request of 5' to a 4' setback. The denial was for the original request of 5' ft. However in the letter submitted it was noted a 4' request was made. It was determined the BZA Board could make that decision without further advertisement.

Chairperson Carson - closed discussion and called for a motion.

On a motion by Kay Tousley, seconded by Kelly Sauber, the Board moved to grant the variance to allow thirty four percent (34%) building coverage, where thirty percent (30%) is maximum allowance and to allow side setback of four (4) feet where eight (8) feet is required.

FINDINGS:

- 1.) EXCEPTIONAL CIRCUMSTANCES: Yes, due to the small lot size.**
- 2.) HARDSHIP AND DIFFICULTY: Yes**
- 3.) PRESERVATION OF EQUAL PROPERTY RIGHTS: Yes No Special privileges being granted.**
- 4.) MINIMUM VARIANCE: Yes**
- 5.) ABSENCE OF DETRIMENT: No.**
- 6.) NOT OF A GENERAL NATURE: No.**

The Chairperson called for a vote: Motion passed 5 votes for 0 against.

Hearing(s):

2.) Case #22-02V	34 Elmwood Place	Neals Home Improvement Allyson & Chris Thrasher
-------------------------	-------------------------	--

Appellant is requesting a variance from ACC 23.10.01 Table A Schedule of Bulk Controls - Side Setback of 4 ft. 4 inches where 8 ft. is the minimum - Structure coverage of 36% where 30% coverage is the maximum allowed

Chairperson Carson called on the Zoning Administrator to testify.

Mr. Riggs explained that the appellant is requesting the variance on an originally platted lot. 50x100 much smaller than today's standard lot sizes 66 is today's standard.

**Office of Code Enforcement and
Community Development**

28 Curran Drive
Athens, OH 45701
(740)592-3306
(740)594-6304 Fax
<http://www.ci.athens.oh.us>



City of Athens
ATHENS, OHIO

Kay Tousley had questions – regarding the deck swap out for the room. Is the foot print changing? Director Riggs explained the room is replacing the existing deck.

Christopher & Allyson Thrasher, 34 Elmwood Place. Explained the deck is dilapidated and the room is replacing the deck. It will be a ground floor bedroom. Discussion on the removal of a shed. It was determined the shed would be removed to help reduce the building coverage but that has not been calculated.

Aaron Thomas – clarified the addition is replacing the deck and will have utilities in the addition.

Kay Tousley brought up that the Thrashers also own the adjacent lot. Discussion regarding replatting.

Kelly Sauber – brought up the stairs extending into the space creating the small set back is on the side of the lot owned by the Thrasher's

There were no further questions. The Chairperson read into the record a letter of support submitted with the appeal.

On a motion by Aaron Thomas, seconded by Kelly Sauber, the Board moved to grant the variance to allow thirty four percent (36%) building coverage, where thirty percent (30%) is maximum allowance and to allow side setback of four (4) feet four (4) inches where eight (8) feet is required.

FINDINGS:

- 1.) EXCEPTIONAL CIRCUMSTANCES: Yes, due to the small lot size.**
- 2.) HARDSHIP AND DIFFICULTY: Yes**
- 3.) PRESERVATION OF EQUAL PROPERTY RIGHTS: Yes No Special privileges being granted.**
- 4.) MINIMUM VARIANCE: Yes**
- 5.) ABSENCE OF DETRIMENT: No**
- 6.) NOT OF A GENERAL NATURE: No**

Chairperson Carson called for a vote: Motion passed 5 votes for – 0 against.

**Office of Code Enforcement and
Community Development**

28 Curran Drive
Athens, OH 45701
(740)592-3306
(740)594-6304 Fax
<http://www.ci.athens.oh.us>



City of Athens
ATHENS, OHIO

OTHER BUSINESS:

Approval of minutes from:

August 10th: approved with corrections to change the case number to 21-06V
Approved by Lisa Carson, Robert Delach, Kay Tousley & Aaron Thomas

September 14th: approved with corrections as noted by Kay Tousley:

Case 21-08V: the motion made was slightly more explicit than the variance requested, and should read:
"...to allow twenty (20) *deed-restricted* remote parking spaces *at 190 W Union St.*, where forty..."

Case 21-09V motion is slightly more explicit than the variance requested, and should read "...to allow
eight (8) remote parking spaces *located at 17 1/2 S Lancaster St.*, to be completed before the renovated
apartment can be occupied."

Approved by Lisa Carson, Robert Delach, Kay Tousley & Aaron Thomas

October 12th: Minutes were approved at November 9th meeting.

November 9th: approved with corrections as submitted by Kay Tousley:

Case 21-13V: the motion made was slightly more explicit than the variance requested, and should
conclude with "...with a stipulation that the porch not be enclosed and only be one story high".

Approved Kay Tousley, Robert Delach, Kelly Sauber

Chairperson Carson adjourned the meeting at 7:30pm

Lisa Carson, Chairperson

Date

David Riggs, Zoning Administrator

Date